

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PHILLIP KASSAI,	X	
	:	
	:	CIVIL ACTION NO.
	:	07-cv-5590 (RMB)
Plaintiff,	:	
	:	
-against-	:	<u>NOTICE OF MOTION</u>
	:	
DRINKS AMERICAS HOLDINGS, LTD.,	:	
	:	
	:	
Defendant.	:	
	X	

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendant's Motion for Summary Judgment, the Statement of Material Facts, the Declaration of Patrick Kenny, the Declaration of Sheldon H. Gopstein, and the attached exhibits, Defendant Drinks Americas Holdings, Ltd., by and through its undersigned attorneys, will move this Court, in Courtroom 21D before the Honorable Richard M. Berman, United States District Judge, United States Courthouse, 500 Pearl Street, New York, New York, at a time and date to be determined by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment on Plaintiff's Complaint in favor of Defendant and against Plaintiff, and such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served on counsel for Defendant within ten (10) business days after the receipt of moving papers.

Dated: New York, New York
March 31, 2008

LAW OFFICE OF SHELDON H. GOPSTEIN, ESQ.

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